DEC 0 9 2005

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FACSIMILE COVER SHEET

Deliver to: <u>Joseph G. Ustaris, USPTO</u> Facsimile No.: (703) 872-9306 From: Eric T. King, Reg. No. 44,188 Our Docket No.: K35A0807 Application No.: 09/872,197	Art Group:2617 Date: December 9, 2005 Number of pages _20_;including this sheet. Filing Date: 5/31/2001 Docket Due Date(s): 7/6/2005
Enclosed are the following documents: Amendment: (_12_pgs) Appeal Brief (pgs) Application: (pgs) w/cover & abstract)	☐ Issue Fee Transmittal ☐ Notice of Appeal ☐ Petition for: ☐ Request for Continued Examination (RCE)
☐ Assignment & Cover Sheet (pgs) ☐ Certificate of —— ☐ Continued Prosecution Application (CPA) ☐ Declaration & POA (pgs) ☐ Drawings:sheets, figures	 □ Reply Brief (pgs) □ Request & Certification Under 35 USC 122(b)(2)(B)(i) □ Request to Rescind Previous Nonpublication Request □ Response to Notice of Missing Parts & Formalities Letter □ Response to Written Opinion (pgs) □ Terminal Disclaimer □ Transmittal of Publication Fee Due
☐ Extension of Time: ☐ Fee Transmittal (in duplicate) ☐ IDS & PTO/SB/08 (pgs) ☐ Other	Transmittal Letter G/TRANSMISSION (37 CFR 1.8A) ed by facsimile on the date shown below to the United States

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Nicole Erquiga Date

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DEC 0 9 2005

TRANSMITTAL FORM (to be used for all correspondence after Initial filing)		Application No.	09/872,197			
		Filing Date	May 31, 2001			
		First Named Inventor	L. Jeffrey Kapner, III			
		Art Unit	2614			
-		Examiner Name	Kirubel Aklilu			
Total Number of Pages in	n This Submissi	on 15	Attorney Docket Number	K35	A0807	
ENCLOSURES (check all that apply) After Allowance Communication to TC						
Fee Transmittel Form		Drawing(s)			i i	
Fee Attached		Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences	
Amendment / Respons	9	Petition			Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
After Final Affidavits/declara	ation(s)	Petition to Provisional	Convert à Application		Proprietary Information	
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			NT, ATTORNEY, OR A			
Firm Eric T. King, Reg. No. 44,188 or Individual name BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP						
Signature	Signature 9 9					
Date De	Date December 9, 2005					
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I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.					OUR THEIR SERVICE OFFICE ON OT WOL	
Typed or printed name	Nicole Erqui	nga				
Signature				Date	December 9, 2005	
Speed on PTO/SB/21 (09-04) as modified by Blastely, Solokoft Taylor & Zafman (vir) 11/30/2005. IEND TO: Commissionor for Patents. P.O. Box 1450, Alexandria, VA 22313-1450						

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	Examiner Name	Kirubel A	klilu			
Applicant claims small entity status. See 37 CFR 1.27.	Art Unit	2614				
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	Registration No.	44,188	Telephone	(714) 557-3800		
Name (PrintType) Eric T. King	(Attorney/Agent)	44,100	•	` ′		

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FEE TRANSMITTAL	Application Number	09/872,197					
for FY 2005	Filing Date	May 31, 2001					
Patent fees are subject to annual revision.	First Named Inventor	L. Jeffrey Kapner, III					
	Examiner Name	Kirubel Aklilu					
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Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zalman (wir) 12/15/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

P.5

Appl. No. 09/872,197 Amdt. Dated 12/9/2005 Reply to Office action of 10/17/2005 RECEIVED CENTRAL FAX CENTER DEC 0 9 2005

RESPONSE UNDER 37 CFR § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2617

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. :

09/872,197

Confirmation No. 1905

Applicant

L. Jeffrey Kapner III

Filed

5/31/2001

TC/A.U.

2617

Examiner

Joseph G. Ustaris

Docket No.

K35A0807

Customer No.

8791

Mail Stop AF Commissioner for Patents PO Box 1450 Alexandria VA 22313-1450

AMENDMENT UNDER 37 CFR § 1.116

Sir:

In response to the Office Action of October 17, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.